

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY

H.P. 580 - L.D. 775

**Resolve, To Authorize the Department of Health and Human Services To  
Amend Its Rules for Eligibility for Community Support Services**

**Sec. 1. Department of Health and Human Services authorized to amend eligibility criteria for community support services. Resolved:** That the Department of Health and Human Services may amend its rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 17, Community Support Services concerning eligibility criteria for services under that section. The department may include in the eligibility determination an assessment of whether an individual has significant impairment or limitation in adaptive behavior or functioning related to the individual's primary clinical diagnosis. The department may also consider:

1. Including in the list of clinical diagnoses that are automatically eligible for services additional clinical diagnoses of conditions that substantially interfere with or limit one or more major life activities; and
2. Expanding the situations in which an individual might be at risk of harm if the individual were to have future episodes related to the individual's primary clinical diagnosis.

**Sec. 2. Report. Resolved:** That the Department of Health and Human Services shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 15, 2021 as to whether the department amended its rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 17, Community Support Services, referred to in this section as "the rule," concerning eligibility criteria for services under that section and, if so, the justification for the changes made by the amendment.

The department also shall provide the committee with:

1. Data regarding:
  - A. The eligibility criteria for determining who has access to community support services; and

B. The number of individuals who applied for community support services and, of those:

- (1) The number initially accepted;
- (2) The number initially rejected;
- (3) The number who were rejected who appealed the rejection; and
- (4) Of the number who appealed, the number accepted following the appeal;

2. An assessment as to whether the department is fulfilling the intended purpose of the rule, regardless of whether the department has amended the rule, as authorized pursuant to section 1;

3. The department's plan for communicating to providers how the department plans to ensure the provision of community support services under the rule; and

4. Any other information relevant to the provision of community support services under the rule and the access of individuals to those services.

The joint standing committee may report out legislation to the First Regular Session of the 130th Legislature regarding the subject matter of the report and any rules adopted by the department pursuant to section 1.